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08-23-01

In re PATENT APPLICATION OF

Confirmation No.: 5054

YAMAGUCHI, et al.

Group Art Unit: Unassigned

Appln. No.: 09/853,028

Examiner: Unassigned

Filed: May 11, 2001

Title: METHOD OF MANUFACTURING CERAMIC HONEYCOMB STRUCTURE
AND DEVICE FOR FORMING THROUGH HOLES

September 17, 2001

* * * * *

**RESPONSE TO THE NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION**

RECEIVED
OCT 16 2001
TC 1700

Box: MISSING PARTS
Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Nonprovisional Application, applicant hereby requests reconsideration and the granting of a filing date of May 11, 2001.

This application was originally filed on May 11, 2001 under Rule 53. The submission to the USPTO included transmittal papers and a copy of the specification in the ENGLISH language. A copy of the submission is attached hereto as Exhibit A.

On July 3, 2001 the undersigned filed a Filing Completion Under Rule 53(f) including a SIGNED dual language declaration (English and Japanese) and included a fee check in the amount of \$1508. The transmittal form PAT-106 included a charge statement as follows:

"CHARGE STATEMENT: The Commisioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any

overpayment, to our Account/Order Nos. shown in the heading hereof for which propose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed."

A copy of the July 3, 2001 submission is attached hereto as Exhibit B.

The USPTO issued a Notice to File Missing Parts of Nonprovisional Application dated July 30, 2001 (Exhibit C). This Notice indicated a filing fee and balance due of \$1648 (completely ignoring our submission of July 3, 2001 including a check in the incorrect amount of \$1508. Assuming the USPTO calculation to be correct, there was a balance due and owing to the USPTO of \$180 which should have been charged to our deposit account, but which was not.

In response to the July 30, 2001 Notice, applicant submitted to the USPTO a Communication on August 2, 2001 (Exhibit D) which included a copy of its July 30, 2001 submission. In addition, it included a supplemental filing fee of \$180.

The USPTO then issued another Notice of Incomplete Nonprovisional Application dated August 16, 2001 (Exhibit E), this time bearing the Application Number 09/897,087 but having the same Atty docket number as our original application. The Notice says that the specification is missing, the specification was filed in a language other than English and that we must file a new declaration.

The Undersigned requests correction of the USPTO errors and the issuance of a paper indicating the Serial number and filing date of May 11, 2001 for this application.

Respectfully submitted,

PILLSBURY WINTHROP LLP

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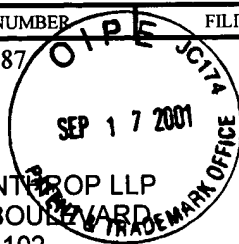


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WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	INVENTOR NAME	APPLICANT	ATTORNEY DOCKET NUMBER
09/897,087	07/03/2001	Satoru Yamaguchi	PILLSBURY WINTHROP LLP/DE	P 280085 ND-J048-US

00909
PILLSBURY WINTHROP LLP
1600 TYSONS BOULEVARD
MCLEAN, VA 22102



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AUG 30 2001
CL# 11349 NT# 280085
ATTY(S) GJP
DUE: NONE
DKT BY (1) (2)

FORMALITIES LETTER



OC00000006434939

CONFIRMATION NO. 3317

Date Mailed: 08/16/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.
A complete specification as prescribed by 35 U.S.C. 112 is required.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY